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**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Reallocation of Television) ET Docket No. 97-157
Channels 60-69, the)
746-806 MHz Band)

**JOINT COMMENTS OF THE SOUTH CAROLINA BUDGET AND CONTROL
BOARD, OFFICE OF INFORMATION RESOURCES AND THE NATIONAL PUBLIC
SAFETY REGIONAL REVIEW COMMITTEE, SOUTH CAROLINA REGION 37**

The South Carolina Budget and Control Board, Office of Information Resources ("OIR") and the National Public Safety Regional Review Committee, South Carolina Region 37 ("Region 37 Review Committee" or "Region 37"), hereby submit their joint comments in response to the Commission's Notice of Proposed Rule Making in the above captioned proceeding. OIR and Region 37 applaud the Commission's efforts to increase the spectrum available for fixed and mobile public safety use, and urge the Commission to take all steps necessary to expedite the availability of such spectrum to the public safety community.

Background

OIR is the department of the South Carolina state government which coordinates the information and communications resources employed by the state and its various agencies and

subdivisions. The Region 37 Review Committee consists of three state and nine local government public safety representatives and the state APCO Frequency Advisor. The public safety services represented include police, fire and EMS personnel. Region 37 reviews applications for use of public safety frequencies, proposes plan updates, provides educational information to perspective users and addresses matters relating to the effective utilization of the 800 MHz spectrum.

For the past several years, OIR and public safety operators throughout South Carolina have been engaged actively in upgrading public safety radio systems to better serve and protect the lives and property of South Carolina citizens. The need for improvement in South Carolina is particularly significant, owing to the constant threat of hurricanes and other natural disasters which demand close coordination of law enforcement agencies, fire and rescue departments, and other emergency services personnel. Recently, the efforts of OIR and Region 37 to establish state of the art 800 MHz radio systems have begun to show some success. More than 13,000 of the approximately 30,000 public safety radios in South Carolina have migrated to the 800 MHz band already.

However, this success also brings with it increased pressure for available spectrum. The shift to 800 MHz has contributed to a significant increase in the use of portable radios, with many more officers being assigned their own radios. This increase in traffic in the 800 MHz bands creates the need for additional 800 MHz, or adjacent channel, frequencies. Furthermore, many public safety agencies are considering new or expanded mobile data systems, which also will require additional spectrum in or near the 800 MHz bands.

In addition, South Carolina expects significant population growth in several areas in the near future, particularly in the coastal regions. Therefore, allocation of additional spectrum for

public safety use becomes all the more critical. The proximity of Channels 60-69 to the 800 MHz bands should enable vendors to provide equipment which is compatible with both segments.

Discussion

Overall, OIR and Region 37 strongly support the Commission's proposed public safety allocation of Channels 63, 64, 68 and 69. Currently, these frequencies are allocated to television service. However, as the Commission notes, Channels 60-69 are sparsely used. Among the television channels proposed for public safety use, only one currently is occupied by a television broadcaster in South Carolina.¹ Further, the Commission does not intend to allot any digital television stations to this spectrum in the state. Thus, OIR and Region 37 look forward to early access to this spectrum.²

¹ McLaughlin Broadcasting, Inc., is the permittee of Channel 63, Sumter, South Carolina. However, Channels 64 and 69 are occupied by two television stations in Georgia and one in North Carolina. Because of South Carolina's relatively small size, public safety licensees there would have to wait until these neighboring television licenses have been cleared in order to use the 12 MHz of spectrum currently occupied by them.

² To this end, the parties encourage the Commission to exercise maximum flexibility in allowing broadcast licensees and public safety service providers to devise mutually acceptable solutions to interference issues. Such solutions could include temporary modification of analog operations to employ different broadcast channels, fast track consideration of digital channel transition applications and mutually acceptable interference agreements.

However, OIR and Region 37 strongly oppose any regulatory
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Although the Commission has indicated its intention to address implementation and service issues for the reallocated bands in a separate proceeding, OIR and Region 37 encourage the Commission to recognize a number of proposals now, the better to give them informed consideration in the future.

First, the parties note that the benefits of coordinated state-wide public safety communications are enormous. Of particular need in this respect is an improvement in interoperability between and among local, state and federal agencies. Such interoperability can be crucial in coordinating public safety and emergency communications measures, particularly in the face of large scale threats or natural disasters. Consequently, OIR and Region 37 urge the Commission to consider allocating a portion of the proposed spectrum for the provision of interoperability between public safety agencies.

Second, as noted above, several public service agencies are considering new or expanded systems which employ high speed data transmission technology. Under APCO Project 34, efforts are already underway to develop standards for high speed data and video services for use by such agencies. Considerable spectrum will be required to deploy these services in South Carolina.

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effort to link cooperation between current television licensees and potential public safety users with a monetary incentive. NPRM at 21. The Commission should not adopt rules which would encourage television licensees to attempt to defray the costs involved in digital transition by passing them on to public safety users, who typically operate on very limited budgets and do not have the resources which could be demanded under such a scheme. While the parties do not oppose voluntary arrangements of this nature, the Commission should not incorporate compensation requirements into its reallocation scheme.

OIR and Region 37 therefore recommend that the Commission designate approximately 25% of the spectrum allocated for public safety use in this proceeding to such high speed services.

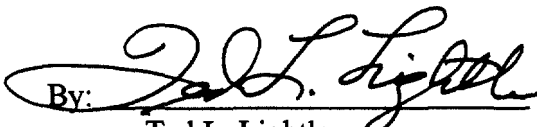
Third, the parties believe that a regional planning project with national oversight would be the most effective method for developing frequency plans and allocating public safety spectrum. To this end, it also is essential that a national database of the spectrum be established to enable and expedite the development of regional frequency plans. It is probable that a regional planning project also would require the establishment of a funding process in order to allow for the acquisition of resources necessary to develop, implement and maintain the planning process.

Conclusion

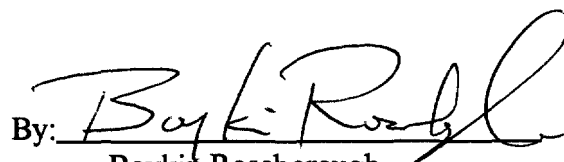
OIR and Region 37 express their appreciation and support for the Commission's proposal, and thorough consideration, of allocating the 24Mhz band of television frequencies to serve the ever increasing wireless communications needs of public safety officials in their efforts to meet the ever increasing threats to the public's safety with increasingly effective application of the public's limited resources. OIR and Region 37 look forward to responding to the comments of other parties filed in this proceeding and to the expeditious implementation of licensing rules for the spectrum.

Respectfully submitted,

**SOUTH CAROLINA BUDGET AND
CONTROL BOARD, OFFICE OF
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